

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**June 12, 2007  
Council Chambers, City Hall  
8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Fire Chaplain Ed Sinke  
Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. CIVIC YOUTH LEADERSHIP DAY**
- 2. WEST POINT DAY**
- 3. BORDER TM INDUSTRIES, INC. WEEK**

### **FLAG DAY PRESENTATION**

**PRESENTATION OF THE AMERICAN FLAG TO CITY COUNCIL BY THE  
"WOODMEN OF THE WORLD", LODGE 3887, IN HONOR OF FLAG DAY**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the  
City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp)  
for those who wish to sign up in advance of the meeting date and a sign-up form is available  
outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day  
of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

## **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

## **CONSENT AGENDA**

### **1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of May 29, 2007 (Corrected) and June 5, 2007, and the Special City Council Meeting of June 4, 2007 (Working Session). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

### **2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

Representative Beto O'Rourke

### **3. RESOLUTIONS:**

**3A.** That George Reynoso be designated to serve on the Ethics Ordinance Review Ad Hoc Committee, on an ad hoc advisory basis with the members of the Rules Legislative Review Committee to review and make recommendations to the City Council on potential revisions to the City's Ethics Ordinance.  
[Representative Beto O'Rourke, (915) 541-4268]

**3B.** That in accordance with Section 3.5 of the City Charter, as revised, the regular City Council meeting for July 3, 2007, is hereby canceled. **(All Districts)**  
[City Attorney-Sylvia Borunda Firth-541-4656]

**3C.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

810 South Oregon Street	\$29,193.56	<b>District 8</b>
Mario T. Casillas		
[Development Services, William Stern, (915) 541-4800]		

**3D.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City

pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

1917 E. San Antonio Avenue                      \$33,225.08      **District 8**  
 Nasario P. Solis  
 [Development Services, William Stern, (915) 541-4800]

- 3E.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

117-119 West Overland Avenue                      \$7,056.91      **District 8**  
 William Abraham (Trustee) for Franklin Group, L.P.  
 [Development Services, William Stern, (915) 541-4800]

- 3F.** That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Affordable Housing Finance Coordinator is hereby created as specified in the duties and responsibilities attached hereto. The Code is 10645. The Grade is PM 132. Salary Range: \$54,542.78 - \$81,814.17 (PM 132) Fund Source: 71010277-01101-51000 **(All Districts)** [Human Resources, Linda B. Thomas, (915) 541-4509]
- 3G.** That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Neighborhood Services Coordinator is hereby created as specified in the duties and responsibilities attached hereto. The Code is 10700. The Grade is PM 130. Salary Range: \$49,471.91 - \$74,207.86 (PM 130) Fund Source: 71010277-01101-51000 **(All Districts)** [Human Resources, Linda B. Thomas, (915) 541-4509]
- 3H.** That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Code Compliance Manager is hereby created as specified in the duties and responsibilities attached hereto. The Code is 17300. The Grade is PM 128. Salary Range: \$45,788.24 - \$66,392.95 (PM 128) Fund Source: 3410286-01101-51000 **(All Districts)** [Human Resources, Linda B. Thomas, (915) 541-4509]
- 3I.** That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Solid Waste Landfill Supervisor is hereby created as specified in the duties and responsibilities attached hereto. The Code is 17740. The Grade is GS 52. Salary Range: \$30,110.32 - \$48,111.02 (GS 52) Fund Source: 3410286-01101-51000 **(All Districts)** [Human Resources, Linda B. Thomas, (915) 541-4509]
- 3J.** That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Transit Customer Service Supervisor is hereby created as specified in the duties and responsibilities attached hereto. The Code is 14300. The Grade is GS 51. Salary Range: \$29,286.64 - \$45,123.66 (GS 51) Fund Source: 60600001-01101-51000 **(All Districts)** [Human Resources, Linda B. Thomas, (915) 541-4509]

- 3K.** That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Transit Data Specialist is hereby created as specified in the duties and responsibilities attached hereto. The Code is 14335. The Grade is GS 51. Salary Range: \$29,286.64 - \$45,123.66 (GS 51) Fund Source: 60600001-01101-51000 **(All Districts)** [Human Resources, Linda B. Thomas, (915) 541-4509]
- 3L.** That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Richard G. Campos, Jr. to employ Richard G. Campos, Jr. as a Senior Programmer Analyst for the Information Technology Department at a biweekly rate of \$2,463.46. The term of the contract shall be for the period of June 23, 2007, through June 22, 2008. Funding Source: 39010351-501011-01101. **(All Districts)** [Information Technology, Gerald Gordier, (915) 541-4288]
- 3M.** To approve an amendment to the Resolution that was originally adopted on April 10, 2007, authorizing the City Manager to approve to electronically submit a grant proposal to the Juvenile Accountability Block Grant Program (Office of the Governor Criminal Justice Division) in the amount of \$19,879.61 with a local cash match of \$3,206.99 for a grand total of \$23,086.60. Cash match requirement of \$3,206.99 is being provided from the General Fund #21010050-01101-506000. It is necessary to revise the cash matching funds from \$1,789.16 to \$3,206.99 as a result of budget revisions requested by granting agency. **(All Districts)** [Police Department, Paul Cross, (915) 564-7310]

#### **4. BOARD RE-APPOINTMENT:**

Ivan Ramirez to the Committee on Border Relations by Representative Eddie Holguin, Jr., District 6. [Representative Eddie Holguin, Jr., (915) 541-4182]

#### **5. BOARD APPOINTMENT:**

Angelina Velarde-White to the City Plan Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

#### **6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.**

Request that the Purchasing Manager, Financial Services - Purchasing Division, be authorized to issue a Purchase Order to the Playwell Group, a Cooperative Purchasing Network (TCPN) contractor, under contract number R4615 (Playground Systems and Related Services) for playground equipment for South Dakota Ridge (\$74,046.17) and Little River (\$58,348.07) Parks for the total amount of \$132,394.24.

The participation by the City of El Paso in The Cooperative Purchasing Network (TCPN) was approved by Mayor and City Council on March 27, 2007.

Department:	Parks & Recreation
Account No.:	51159242 – 508004 – 16027 – 16200 - 16203
Funding Source:	Parkland Dedication Fund
Total Award:	\$132,394.24
<b>District:</b>	<b>1</b>
Reference No.:	2007-199

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**7. BIDS:**

- 7A.** Request that the Purchasing Manager for Financial Services be authorized to purchase two additional roll-off trucks pursuant to Option B of Contract No. 2006-199 (Vocational Trucks) with Border International Trucks for a total award of \$256,620.

Department: Environmental Services  
 Funds Available: 58009 – 40415 - 34340200 (\$128,310 SWM Equipment 2004)  
 508006 – 40403 - 34010289 (\$128,310 SWM Vehicular Equipment)  
 Item: Item 2A  
 2 each @ \$128,310/each  
 Award Amount: \$256,620  
**Districts: All**  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 7B.** The award of Solicitation No. 2007-155 (Traffic Signal Heads) to Republic Intelligent Transportation Services for a total estimated award of \$233,393.22.

Department: Street  
 Award to: Republic Intelligent Transportation Services  
 Grand Prairie, Texas  
 Items: 1 thru 8  
 Annual Estimated Amount: \$116,696.61  
 Account No.: 99331117 (FY 06 CO's) - 508027 - 27263 (FY 06 CO's)  
 PCP06ST013-\$105,552.08  
 32010288 - 503203-01101-\$11,144.53  
 Funding Source: Street Department General Operating Fund/Signal/Flasher  
 Installation/Public Access Maintenance and Repairs  
 Total Estimated Award: \$233,393.22  
**Districts: All**

This is a requirements type contract with an initial term of twenty-four months.

The Departments of Financial Services and Streets recommend award as indicated to the lowest responsive, responsible bidder.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 7C.** The award of Solicitation No. 2007-156 (Proprietary Parts & Service-Tiger Mower Equipment) to Bisset Specialty Equipment, Inc. for a total estimated award of \$60,000

Department: General Services-Fleet Division  
 Award to: Bisset Specialty Equipment, Inc.  
 El Paso, Texas  
 Items: Part A, 1 & 1A, and Part B  
 Annual Estimated Amount: \$20,000  
 Account No.: 37370510 - 503125 - 45202  
 Funding Source: General Services-Fleet Service Division Internal Service Fund  
 Total Estimated Award: \$60,000  
**Districts: All**

This is a requirements type contract for thirty-six months.

The Departments of Financial Services and General Services/Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 8A.** An Ordinance authorizing the City of El Paso to enter into a lease agreement with El Paso Border Youth Athletic Association for the purpose of developing a plan for constructing and utilizing a youth baseball and softball facility on property located adjacent to Brown Street and Schuster Avenue consisting of all of blocks 104, 105, and 136, Alexander Addition, and a portion of blocks 68, 69, 99, 106, 107, 135, 137, 138, 139, 142, 143, and 174, and a portion of Ange Street, Octavia Street, Price Street, Noble Street, Daggett Street, Wade Street, University Avenue, Blanchard Avenue, Hague Avenue, and Rim Road rights-of-way (vacated), Alexander Addition, El Paso, El Paso County, Texas; and canceling the lease agreement approved by Ordinance #15568. **(District 1)**  
[Parks and Recreation, Norman Merrifield, (915) 541-4910]

#### **PUBLIC HEARING WILL BE HELD ON JUNE 19, 2007, FOR ITEM 8A**

- 8B.** An Ordinance changing the zoning of Tracts 10A, 10B, and 10C, Block 14, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 321 Lomaland Drive. Applicant: Walter and Amelia Garcia. ZON07-00027 **(District 7)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

#### **PUBLIC HEARING WILL BE HELD ON JULY 10, 2007, FOR ITEM 8B**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **9. PUBLIC HEARING – DEVELOPMENT SERVICES**

Discussion and action on a Resolution partially releasing conditions placed on property by a contract dated March 11, 1986, which imposed conditions on Lots 1 and 2, Block 5, and Lots 1 and 2, Block 6, Camelot Heights, Unit Two, City of El Paso, El Paso County,

Texas. Subject Property: East of Mesa Street and South of Mesa Park Drive. Applicants: Camelot Point, LLC. ZON07-00008 (**District 1**)  
[Development Services/Planning, Melissa Granado, (915) 541-4730]

**10. PUBLIC HEARING - CITY ATTORNEY'S OFFICE:**

An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.20 (Miscellaneous Street and Sidewalk Use Regulations), Section 13.20.110 (Bus Bench Franchises) to transfer the enforcement authority over bus bench franchises to the Mass Transit Department and transfer all required franchise payments to the Mass Transit Department. (**All Districts**) [City Attorney's Office, Raymond L. Telles, (915) 541-4550]

**11. PUBLIC HEARING – ENGINEERING:**

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection “G” (Forty Miles per Hour) of the El Paso City Code to add Helen of Troy Drive from Redd Road to Desert North Boulevard. The penalty is as provided in Section 12.84.010 of the El Paso City Code. (**District 1**)

[Engineering/Traffic Division, Ted Marquez, (915) 541-4035] POSTPONED FROM 05-29-07

**12. PUBLIC HEARING – ENVIRONMENTAL SERVICES:**

An Ordinance granting to Paul Berube a non-exclusive franchise for litter receptacles on sidewalks and other City property. (**All Districts**)

[Environmental Services, Ellen A. Smyth, (915) 621-6719]

**13. PUBLIC HEARINGS – FIRE DEPARTMENT:**

**13A.** That the Mayor be authorized to sign an Ordinance granting a franchise for Elite Medical Transport to operate a Non-Emergency Ambulance Transfer Service. (**All Districts**) [Fire Department, Janet Walker, (915) 771-1000]

**13B.** That the Mayor be authorized to sign an amendment to the Ordinance for Sun City Ambulance Service, Inc., dba Rio Grande Ambulance Service, to provide an amendment to the rate schedule. (**All Districts**)  
[Fire Department, Janet Walker, (915) 771-1000]

**REGULAR AGENDA – OTHER BUSINESS**

**14. MAYOR AND COUNCIL:**

**14A.** Discussion and action on installing a speed hump and/or other traffic control device on Rose Lane as requested from neighbors and supported by Representative Jose Alexandro Lozano.  
[Representative Jose Alexandro Lozano, (915) 541-4515] POSTPONED FROM 05-22-07

**14B.** Discussion and action on Subdivision Conditional B permits to be released on Sandstone Ranch Unit 2. Reason: Economic hardship.  
[Representative Melina Castro, (915) 541-4400]

**14C.** Discussion and action to file a complaint with the Federal Communications Commission against T-Mobile for their failure to comply with the Nationwide Programmatic Agreement for Review of Effects on Historic Properties in the installation of a cell tower located at 2219 Piedras Street.  
[Representative Susie Byrd, (915) 541-4996] POSTPONED FROM 06-05-07

**15. DEVELOPMENT SERVICES:**

Discussion and action for Tierra Del Este Unit 47 Subdivision to obtain permission from the City Council for a Conditional "B" permit as per Section 18.02.103.1.1.6., Prerequisite to Issuance of Permits. **(District 5)**  
[Development Services, Larry F. Nichols, (915) 541-4557]

**16. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action on issues related to Storm 2006.  
[Development Services/Engineering, R. Alan Shubert, (915) 541-4557]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**EX1.** Claim of Juan J. Banda, Our File No. 06-C-259 (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

**EX2.** Discussion and action related to ASARCO pending litigation and other legal matters. (551.071) [City Attorney's Office, Laura Gordon, (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>